

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:06-cr-213-MEF
)	
KELLY MCDUGAL)	

MOTION TO CONTINUE SENTENCING

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and as grounds for the Motion to Continue Sentencing, states as follows:

1. A Sentencing Hearing is presently set for August 8, 2007, at 2:00 p.m.
2. The Defendant is currently cooperating with the Government and as part of her agreement is expected to testify in the case of United States v. Badillo et al., set for trial October 15, 2007.
3. The parties believe that a continuance in the sentencing of this case is warranted and necessary, at this time, to allow the Defendant an opportunity to substantially assist law enforcement, thus allowing the government to request a downward departure in her case.
4. Richard Keith, attorney for defendant, has been contacted and joins in the request for a continuance in this case.
5. The defendant will not be harmed or unfairly prejudiced should sentencing be continued.
6. On information and belief, the Government requests that sentencing in this case not be re-set within the next three (3) months.
7. Should the parties be prepared earlier than October, 2007, to resume sentencing in this case, the Government will assume the responsibility of notifying the Court.

Based on the facts stated above, the United States respectfully requests a continuance in the above-styled sentencing.

Respectfully submitted this 30th day of July, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Susan R. Redmond
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CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to: Pate Debardeleben, Esquire.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

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